

Minutes of the Special And Regular Meeting of Tuesday, September 13, 2005

City Council Chambers, One Twin Pines Lane

SPECIAL MEETINGS

CLOSED SESSION - 5:45 P.M.

A. Conference with Legal Counsel pursuant to Government Code Section 54956.9(a), Existing Litigation, Two Cases: Eckert v. City of Belmont, and Belmont Business Center v. City of Belmont.

B. Conference with Real Property Negotiator, Public Works Director Davis, Pursuant to Government Code Section 54956.8, for Property Located at 700 Island Parkway APN# 040 360 400)

C. Conference with Agency Representative Jack Crist, per Government Code Section 54957.6: Unrepresented Managers (Assistant City Manager, Community Development Director, Finance Director, Human Resources Director, Parks and Recreation Director, Police Chief, Public Works Director).

D. Conference with Agency Representative Jack Crist, per Government Code Section 54957.6: City Clerk

Attended by Councilmembers Feierbach, Bauer (arr. 6:00 p.m.) Mathewson, Metropulos, Warden, City Attorney Zafferano, Interim City Manager Jack Crist, Finance Director Fil (Items A and B), Public Works Director Davis (Item B). Councilmember Mathewson was recused on Item A since he lives within 500 feet of subject property (Eckert). City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:30 P.M.

Terri Cook

Belmont City Clerk

Meeting not audio recorded or videotaped.

REGULAR MEETING

CALL TO ORDER 7:37 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Mathewson, Bauer, Metropulos, Warden

COUNCILMEMBERS ABSENT: None

Staff Present: Interim City Manager Crist, City Attorney Zafferano, Interim Community Development Director deMelo, Human Resources Director Dolan, Public Works Director Davis, Interim Parks and Recreation Director Bridges, Police Chief Mattei, City Clerk Cook.

REPORT FROM CLOSED SESSION

Mayor Warden announced that direction was given but no action taken at the closed sessions held previously in the evening.

SPECIAL PRESENTATIONS

Proclamation Honoring Meritorious Service of Matt Johnson, Jr.

Mayor Warden presented a Proclamation describing how Matt Johnson, Jr., came to the aid of a fellow student at Carlmont High School, who was injured in a campus incident.

Matt Johnson, Jr., recipient, described the situation and outlined how he applied his first aid training to assist the young man who was injured.

Councilmember Metropulos noted that the paramedics advised that Mr. Johnson's actions likely saved the student's life.

Proclamation in Appreciation for Outstanding Public Service by Warren Lieberman, Finance Commissioner

Mayor Warden presented the Proclamation to Warren Lieberman.

Warren Lieberman, Miramar Terrace, stated that it was a pleasure to have served on the Finance Commission, and he looks forward to serving as a City Councilmember. He thanked his family for allowing him time away from them, and thanked Finance Commissioner Bob Ledoux, former Finance Commissioner Ed Rodriguez, and former City Treasurer Howard Mason for their assistance to him while on the Commission.

Presentation by CalTrain/SamTrans on Train Service Schedule Changes

Michelle Bouchard, Rail Planning and Analysis Manager, San Mateo County Transit District, provided historic information regarding train service on the Peninsula. She outlined historical facts and statistics, including recent fare revenue information. Because of budget shortfalls, the options were to cut service or improve railway efficiency. In 2004, the Baby Bullet Service was implemented, with the goal of increasing ridership and decreasing the end-to-end run times.

Ms. Bouchard stated that although local service is retained, local trains have been removed from the system. She reviewed the scheduling changes effective August 1, 2005, and noted that the frequency of trains was increased using the same crews and equipment, which has resulted in

increased revenues. She outlined the need for train riders to transfer at certain stations, but indicated that total travel times had been reduced. She acknowledged that Belmont now has reduced service, but that there is an increase in ridership throughout the system because of efficiencies. She clarified that the recent changes would be evaluated in six months.

Council discussion ensued.

In response to Councilmember Feierbach, Ms. Bouchard clarified that if new developments occur in downtown Belmont, the train schedule could be evaluated and changed, if appropriate.

Councilmember Bauer noted that he recently had to wait one hour after missing a train. He recommended posting the timetables on the ground floor level of the train station.

Mayor Warden commented that Council had received complaints regarding the recent scheduling changes, but he now understands the transfer requirement.

Councilmember Mathewson stated he is happy to see that ridership has increased, but noted the negative impact on train service in Belmont. Belmont's downtown has the potential for transit-oriented development, but there may be less reason to do so with decreased train service. He appreciates the potential for future adjustments.

Ms. Bouchard responded that there may be other transit options for those developments, including Sam Trans.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Rob Simmons, El Camino Real, stated that he has been a medical marijuana patient for eight years. He stated he is a victim of police brutality. He attempted to seek assistance from the newspapers and has been slandered by them. He was evicted for growing marijuana. His friends and patients continue to be confronted by the police department. He stated that Proposition 215, which protects medical marijuana patients, is not being adhered to. He has spent his own money to provide his services.

Mayor Warden responded that this item is not on the agenda, but noted that he has had conversations with Mr. Simmons and the police department regarding this issue.

Warren Gibson, E. Laurel Creek Drive, stated that he considers members of the Council his friends. His goals for the San Juan Canyon are the same as they have been for five years. He noted that the Open Space Recreation Task Force attempted to address open space, and that the San Juan Canyon Preservation Trust has failed to find money to purchase properties. A new strategy is needed to limit development. Canyon owners were never contacted regarding the ballot initiative. Measure F is confrontational and divisive, and will have unintended consequences.

Deanna Meredith, incoming Chamber of Commerce Director, announced the upcoming Belmont Faire to be held on September 17 and 18. She reviewed the entertainment to be provided, and stated there will be 80 vendors, a chili cook-off, a pet parade, and a dunking booth.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Metropulos announced that students at Central Elementary School had adopted a city in Louisiana to assist following Hurricane Katrina. He noted that they are collecting coins to aid in their effort.

AGENDA AMENDMENTS

Interim City Manager Crist requested that Items **4-D** (Resolution Approving a Professional Services Agreement with RMC Water and Environment for Sanitary Sewer Evaluation and Master Planning for an Amount not to Exceed \$355,140), **4-E** (Resolution Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder, Approving a Construction Contingency not to Exceed Ten Percent of the Contract Cost, and Authorizing the City Manager to Execute a Contract for the Coronet Boulevard/Lyon Avenue Storm Drain Repair Project, City Contract Number 473), and **4-G** (Resolution Adopting 'Belmont', by James W. McLaughlin, Former City Clerk, as Official Belmont City Poem) be removed from the Consent Agenda for separate consideration.

CONSENT CALENDAR

Approval of Minutes of Special and Regular Meeting of July 26, 2005, and August 9, 2005.

Acceptance of Written Communication: 1) Received August 24, 2005, Before the PUC, PG&E's Petition for Modification of decision 03-10-040; 2) Received September 6, 2005, from SF Planning Department, in re SFPUC Water System Improvement Program; 3) Received September 6, 2005, before the PUC, City of San Jose Response to PG&E Petition for Modification of Decision 03-10-040.

Approval of Resolution 9694 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$195,000 Approving a Construction Contingency not to Exceed \$19,500, and Authorizing the City Manager to Execute a Contract for Lyall Way Pavement Rehabilitation, City Contract Number 465B.

Approval of Resolution 9695 Accepting the Roadway Improvements Constructed Along the Frontage of 2514 and 2518 Ralston Avenue.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Bauer, the Consent Calendar was unanimously approved as amended.

ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION

Resolution Approving a Professional Services Agreement with RMC Water and Environment for Sanitary Sewer Evaluation and Master Planning for an Amount not to Exceed \$355,140

Public Works Director Davis stated there is a desire to bring the sanitary system up to date, and a master plan is needed to maximize resources. He noted this is similar to the pavement management program.

Mayor Warden stated that he would like to review the scope of services for such a large contract. He commented that a previous contract to RMC in the amount of \$80,000 was administratively approved, and this request adds \$300,000 to that contract.

Councilmember Bauer requested background information on this issue.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Metropulos, and unanimously approved by a show of hands to continue this item for background information and scope of services.

Resolution Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder, Approving a Construction Contingency not to Exceed Ten Percent of the Contract Cost, and Authorizing the City Manager to Execute a Contract for the Coronet Boulevard/Lyon Avenue Storm Drain Repair Project, City Contract Number 473

Public Works Director Davis stated that this is an emergency project to repair a large sinkhole. He stated that the bid opening was held on September 12, and the low bid received was \$174,775, which is within the engineer's estimate.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Bauer, Resolution 9696 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder (Trinet Construction, bid amount \$174,775), Approving a Construction Contingency not to Exceed Ten Percent of the Contract Cost, and Authorizing the City Manager to Execute a Contract for the Coronet Boulevard/Lyon Avenue Storm Drain Repair Project, City Contract Number 473 was unanimously approved by a show of hands.

Resolution Adopting 'Belmont', by James W. McLaughlin, Former City Clerk, as Official Belmont City Poem

Interim City Manger Crist stated that the calligrapher provided samples of artwork from which the Council should choose for the poem.

Ann Miller, Calligrapher, provided examples of some of her original work, and described the options available. She noted that costs could range from \$500 for computer-generated calligraphy to \$3,000 for hand-done work.

Discussion ensued regarding the various options.

Mayor Warden recommended setting a budget and basing the project on that budget. He noted that this is a piece of art, not a proclamation, and some color would be beneficial.

Administrative Assistant Stallings stated that she had conferred with Mr. Laughlin, and he prefers the hand-done work, but wants to ensure it was large enough to be easily read. He recommended the example shown in Exhibit B, with his name at the top under the title.

Council concurred to approve an expenditure for this project not to exceed \$2,000.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Bauer, Resolution 9697 Adopting 'Belmont', by James W. McLaughlin, Former City Clerk, as Official Belmont City Poem was unanimously approved by a show of hands, said motion to include a not-to-exceed budget of \$2,000 for the poem's artwork and framing.

HEARINGS

Public Hearing to Consider Revisions to Municipal Code Chapter 14, Motor Vehicles and Traffic (on-street parking of RV's, boats, trailers)

City Attorney Zafferano reviewed the proposed changes and exceptions, and noted these provisions applied to public streets and rights of way, but not private property. He noted the issues still to be addressed included vehicle weight and height limits.

Councilmember Metropulos recommended that the wording should explicitly state that these provisions apply not only to public streets, but to rights-of-way as well.

In response to Council questions, City Attorney Zafferano clarified that the proposed exemption for apartments and condominiums would apply only to motor vehicles, not boats or trailers. He also clarified that vehicular length limits apply only to the vehicle, not including the trailer. He noted that the 72-hour parking provision would still be in effect. He stated that the City's digital photo program could be utilized to enforce vehicles parked in private driveways but which hang over into the right-of-way. He noted that the proposed revisions require that trailers be attached to a vehicle to park in the right-of-way, subject to the 72-hour parking provision.

Police Chief Mattei responded that the vehicle code addresses the height limit relative to the vehicle's license plate placement, and that this provision is currently being enforced.

Mayor Warden noted that the proposed amendments cannot solve every issue. He opened the Public Hearing.

Henry Gold, Plateau Drive, stated that Foster City's ordinance, which Belmont is using as a model, does not address right-of-way or sidewalks, and he recommended including that language. He presented photos of sample boat and RV parking problems within the City of Belmont.

Andrew Williams, Bishop Road, stated that Foster City has good codes. He recommended including driveways and yards in this proposed ordinance, and grandfathering in current owners. He added that this entitlement could go away with a new owner.

Rick Frautschi, Folger Drive, outlined minor edits to the proposed ordinance, including the elimination of some of the wording to prevent confusion. He noted that not addressed in the proposed revisions are the issue of cars for sale parked on El Camino, cars parked in the opposite direction of travel, and vehicle repair shops using right-of-way and City lots for overflow parking. He questioned whether there would be a fee associated with the special permission visitor parking.

Dennis Pantano (no address given), stated that Foster City was developed as a Planned Unit Development, and its city-wide CC&R's (Conditions, Covenants d Restrictions) prohibit boat and trailer parking in the right-of-way. This fact is known to owners at the outset, and may not be a fair comparison for Belmont.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Bauer, the Public Hearing was unanimously closed by a show of hands.

RECESS: 9:15 P.M.

RECONVENE: 9:25 P.M.

City Attorney Zafferano stated that language stating that these provisions are in effect for the public right-of-way could be included if Council concurs.

Councilmember Mathewson stated that boat and trailer parking is already allowed on private property, which eliminates the need for any grandfathering.

In response to Councilmember Bauer's concern regarding vehicular weight, City Attorney Zafferano stated that staff could make a recommendation regarding weight and height limits. He noted that many commercial vehicles are 6'7" or 6'8".

Councilmember Mathewson recommended including signage at entrances to the City to eliminate the need for additional signage in neighborhoods. He noted that recent court cases prohibited target enforcement of vehicles parked for sale.

Mayor Warden noted that the 72-hour rule forces those vehicles to another location. He stated that proposed Code Sections 14-15(e) and (f) are problematic in that the entitlement runs with the land. If a driveway is long enough, the vehicle should not be parked in the street. He is not in favor of exemptions.

City Attorney Zafferano stated that staff could explore ways to enforce the vehicle for sale issue. He noted that grandfathering may be more problematic.

In response to Councilmember Mathewson's questions regarding the implementation of the 72 hour/14-day rule, Police Chief Mattei noted that vehicle owners would need to be informed, but it is simple to implement. He commented that the requirement to move a vehicle 1/10th mile is addressed in our local ordinance and is not a State law. City Attorney Zafferano stated that options could be provided for Council to consider.

ACTION: On a motion by Councilmember Metropulos, seconded by Councilmember Bauer, the Public Hearing was reopened and continued to October 11, 2005.

Public Hearing to Consider an Amendment to Municipal Code Section 17-4, Planning Commission Call-up Authority

Interim Community Development Director deMelo outlined the eight entitlements that would be subject to this proposed Municipal Code amendment. He stated that tracking software is available for scheduling a one-year review of these amendments.

Mayor Warden opened the Public Hearing.

Councilmember Bauer expressed concern that the Planning Commission would be second-guessing staff decisions.

Mayor Warden noted this is a call-up provision, not an appeal.

Interim Community Development Director deMelo responded that staff decisions may not always be agreeable to Commission members, and this proposed amendment is a good solution. He does not feel it will be abused. He noted that Commissioners often confer with staff when they have issues or questions. He clarified that administrative decisions generate a small report. If there are questions, they may be resolved without exercising the call-up authority.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Feierbach, and unanimously approved by a show of hands to introduce an ordinance by title amending Municipal Code Section 17-4, Planning Commission Call-up Authority, waive further reading, and set second reading and adoption for September 27, 2005.

OLD BUSINESS

Discussion and Direction for the Grant Application Approval Policy

Public Works Director Davis stated that the Council is desirous of a policy regarding the application for grants. He reviewed the feedback from the various departments, and outlined the recommended exemptions from the process.

Councilmember Metropulos expressed concern regarding grants that have a short timeline.

Councilmember Mathewson expressed concern regarding the COPS grants.

Police Chief Mattei responded that COPS grants require a Public Hearing before the City Council.

ACTION: On a motion by Councilmember Metropulos, seconded by Councilmember Mathewson, Resolution 9698 Grant Application Approval Policy was unanimously approved by a show of hands.

NEW BUSINESS

Proposed Holiday Banner Program for El Camino Real and Ralston Avenue

Interim City Manager Crist reviewed the details of the proposal from the Chamber of Commerce for the purchase and installation of holiday banners on Ralston and El Camino Real. He noted that the proposal was for co-sponsorship of 60 banners. The plan is to begin the program with the 2005 holidays, then expand to other seasons. He noted that the Municipal Code will need to be amended to allow the installation, which may delay the implementation of the banner program to 2006. He reviewed the costs and the policy issues. He presented examples of banners, and noted that Council may wish to direct that the Planning and Park and Recreation Commissions review the proposal.

Maureen Freschet, Chamber of Commerce President, stated that as part of the Chamber's "Shop Belmont" program, the banner proposal serves the purpose of promoting local business and supports the Economic Development strategy. She noted that the City of Belmont currently has no holiday decorations, and the banners add ambiance to the community. The business sponsorship will reduce costs. She noted that the business names will be discreetly placed on a limited number of the banners.

Judy King, Fifth Avenue, does not support advertising on the banners, and there is no need to include a reference to Belmont on them, either. She noted that Cal Trans does not permit advertising on State highways. She recommended that businesses be encouraged to contribute without advertising.

Margo Cheechov, Sequoia Way, stated that money should be spent on essential services. She noted that the holidays are already too commercial. She recommended a simple holiday greeting only.

Councilmember Feierbach stated she does not support the inclusion of business names. She noted that Council recently dealt with off-site signage issues. She supports banners on Ralston Avenue, but not El Camino Real, and she supports a year-round program.

Councilmember Metropulos stated that he supports banners with a Belmont reference, but does not support advertising because of previous advertising issues. He commented that there are already too many business signs.

Councilmember Mathewson stated he supports a year-round program on Ralston Avenue only. He does not support off-site advertising. He recommended having the Parks and Recreation Commission review this, but is concerned regarding time constraints.

In response to Council questions regarding funding issues, Finance Director Fil stated that Redevelopment Agency monies could be used, as a nexus can be made for the expenditure on Ralston Avenue. He clarified that the balance of the Chamber of Commerce's contract is being carried over into this year.

Councilmember Bauer expressed concerns regarding off-site signage. He supported the scoreboard. He noted the banner samples provided are not offensive, but he would go along with Council consensus.

Mayor Warden stated that he is ambivalent regarding the advertising, and would support banners without it. He concurred with the placement on Ralston Avenue only. He can find the nexus for the costs of banners on all of Ralston Avenue as a valid use of Redevelopment monies.

In response to Council comments and questions, City Attorney Zafferano clarified that the 75th anniversary banners were deemed a City-sponsored event. He advised that in order to support the banners as proposed, an ordinance amendment would need to be made, which required a Public Hearing. He stated that a finding could be made that the banners fill a public benefit.

Mayor Warden commented that the Public Works Department would need to review the details of the banner installation.

ACTION: On a motion by Councilmember Metropulos, seconded by Mayor Warden, and approved by a show of hands (4-1, Bauer no), to approve the blue banner with the reindeer with a red nose, with the words "Seasons Greetings" in larger print, and said motion to exclude business advertising.

Councilmember Bauer noted that he would like to include business names on the banners, which is why he voted no.

Mayor Warden noted that the two Parks and Recreation Commissioners seated in the audience (King, Cheechov) indicated their approval of the motion.

MEETING EXTENSION: At this time, being 10:30 P.M. on a motion by Councilmember Mathewson, seconded by Councilmember Metropulos, the meeting was unanimously extended by one hour by a show of hands.

Approval of the Alameda Kiosk Landscaping Plan and Installation

Interim Parks and Recreation Director Bridges stated that the Kiosk property was donated to the City in 1997. He reported that the Central Neighborhood Association is proposing improvements to the property. He noted that the Congregational Church, located across the street from the Kiosk, has agreed to maintain the improvements for two years.

David Hoffman, Central Neighborhood Association (CNA), stated that the goal is to improve the landscaping and aesthetics of the property. He reviewed the proposal and provided background. He noted that CNA obtained a grant from the Peninsula Community Foundation, and he outlined other donations received for this project, including the maintenance commitment from the Congregational Church. He noted that CNA has received uniform support during its outreach to the adjacent neighbors. He outlined key features of the proposal, and noted changes made in plant types as a result of recommendation from the Parks and Recreation Department and the Church. He reviewed the project budget. He stated that it was unlikely the entire project would be donated, but individual contributions are possible. He stated that this is a prominent landmark in Belmont, and the costs are a small price to improve the property. He requested that Council consider financial support of the project.

In response to Councilmember Metropulos, Mr. Hoffman clarified that one bid had been received for the work.

Rich Bortoli (comments read by Judy King), Parks and Recreation Commissioner, stated that when the plans were presented to the Parks and Recreation Commission, they did not include capital costs to the City, and the Commission's recommendation was based on no costs to the City. He expressed concerns for other pending park projects, such as Ralston Ranch and Davey Glen. He also expressed concerns regarding cost and safety.

Denny Lawhern, Belmont Historical Society, supports upgrading the site and the proposal as presented. He recommended that the City participate financially. He noted this is a visible landmark, and the Historical Society is often asked for information regarding the Kiosk.

Judy King, Parks and Recreation Commissioner, stated she agreed with Mr. Bortoli's comments. Although she supports the project, she expressed concern regarding the costs. Other projects are in the queue. She recommended that the City ensure clear title with regard to the off-site advertising issue.

Scott Bailey, Notre Dame Avenue, stated that the Kiosk brings personality and uniqueness to Belmont, and the site should be improved. He recommended the Council consider monetary support for the project. He stated there is community support, and Belmont should invest in its own property like the residents do.

Hartley Laughead, Sequoia Way, stated that the Kiosk property borders both Central and Cipriani neighborhoods. She noted that Cipriani Neighborhood Association has not formally voted on this proposal, but she is certain of its support. She spoke to Covington residents who are in favor of the project. She noted that the use of volunteers could reduce the costs.

Dennis Pantano (no address given), stated his family donated the property to the City, and he expressed his support for the proposed improvements to this visible and important parcel. He commented that there are many stories about this building. He is aware there are concerns regarding the inclusion of his business phone number on the property, as approved by a former City Council, and that he is amenable to working with the City Manager and City Attorney to rectify that situation.

David Long, South Road, stated that it was his understanding that park-in-lieu fees are not considered part of the capital budget. He commended Rick Frautschi for obtaining the water meter from the water district, and recognized Kathleen Stewart, David Hoffman, and Dennis Pantano for their contributions. He stated that the Peninsula Community Foundation grant was received based on disparate groups working together on a community project. He reviewed the community outreach performed by the Kiosk Committee. He stated that it could be problematic to have volunteers work on the planting. He noted that it is unlikely the City could complete this project for \$17,000.

In response to Council questions, Mr. Long responded that some inquiries had been made for volunteer landscapers, but to date there has been no real response. He stated there would be a need to manage volunteers. He also responded that the project costs total 10 years of CNA's budget, and that the Cipriani Neighborhood Association has even less money available.

Councilmember Mathewson stated that the grant application indicated a total project cost of \$8,400. He personally supports the project, but noted that although it was never asked, Central represented in the grant application that the City Council as a whole supported the project.

Mr. Long responded that at the time it did not make sense to put the work into the project ahead of receipt of the grant. He noted that the grant was a long shot.

Councilmember Bauer expressed his support for preservation and improvement of the property, and inquired about funding sources. He noted that there may be contractors who are willing to help. Finance Director Fil responded that the Planned Park Fund currently has \$1 million, but that encumbrances exceed funding. There is no additional revenue anticipated.

Councilmember Metropulos expressed his support for the preservation of the Kiosk, but expressed concern that tonight is the first time Council is hearing about monetary support from the City. This project is not on the Capital Improvement Program priority list, and others are in the queue. He is concerned that only one bid was received.

Councilmember Mathewson stated that financing is an issue. He noted that money was not raised at either the Planning or Parks and Recreation Commission meetings on this project, and that it was his understanding that this would be an all-volunteer project. This could be a priority calendar item, and he supported some level of funding from the City.

Councilmember Feierbach stated that she supported the use of the priority calendar process for potential funding, and she would give the project a high priority. She commented that the Kiosk is a unique structure.

David Long further stated that he requested approval of the project this evening so it can move forward. He noted that CNA would continue to seek donations.

Councilmember Mathewson stated that the off-site advertising sign issue needs to be settled.

Dennis Pantano stated that the signage is a separate issue from the landscape plan, and he recommended that the historic signage to be added will indicate that the property donation was made in memory of his mother, Florence Pantano, which should solve the phone number issue. He noted he would support the project with matching funds.

Mayor Warden stated that he supports the project, he recommends approval of the landscape plan and placing this item on the priority calendar for funding consideration.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Feierbach, and unanimously approved by a show of hands to approve Resolution 9699 Approving the Alameda Kiosk Landscaping Plan and Installation, amended to include language acknowledging that the Mid-Peninsula Water District donation of the water meter was acquired with the assistance of Karl Mittelstadt and Rick Frautschi.

ACTION: On a motion by Councilmember Mathewson, seconded by Councilmember Feierbach, and unanimously approved by a show of hands to add funding for the Kiosk project to the Priority Calendar list.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Consideration of Financial Support of Notre Dame de Namur University's 2006 Youth Piano Competition

Interim Parks and Recreation Director Bridges stated that plans are ongoing for the 2006 Piano Competition, and the preliminary budget is \$6,500. He stated that Notre Dame de Namur University is requesting \$20,000 support, which could be considered during next year's budget cycle. He clarified there is no time sensitivity to this issue.

Mayor Warden recommended reviewing this item in three months.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Bauer, and unanimously approved by a show of hands to continue this item for three months.

City Gift Catalog for Identifying Donation Ideas

Interim Parks and Recreation Director Bridges stated that a proposed gift catalog is being developed for future donations to the City. He noted there are policy issues to address, and there may be a desire to outline various levels of recognition. He recommended that the Parks and Recreation Commission review this project.

Councilmember Mathewson suggested another name be given to this besides gift catalog.

ACTION: On a motion by Councilmember Metropulos, seconded by Councilmember Feierbach, and unanimously approved by a show of hands to refer this matter to the Parks and Recreation Commission for further recommendation and refinement.

Motion to Designate Voting Delegate for 2005 League of California Cities Annual Conference

Mayor Warden stated that he is not attending the conference as previously scheduled, and intends to contribute the amount of the conference fee to the Hurricane Katrina effort.

Councilmember Bauer stated he is attending and could be the delegate.

Councilmember Mathewson stated that he may be attending.

Council concurred that Councilmember Bauer will be the delegate and Councilmember Mathewson the alternate for the 2005 League of California Cities Annual Conference.

Resolution Approving the Selection of an Executive Search Firm to Conduct a Recruitment for the City Manager Position and Authorizing the Related Professional Services Agreement

Interim City Manager Crist noted that Council interviewed Avery Associates on September 12, 2005.

ACTION: On a motion by Councilmember Bauer, seconded by Councilmember Feierbach, Resolution 9700 Authorizing a Professional Services Agreement with Avery Associates (NTE\$23,400) to Conduct an executive recruitment for the City Manager position was unanimously approved by a show of hands.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Consideration of reduction of level of purchasing authority as outlined in the existing purchasing ordinance (Mathewson)

Councilmember Mathewson stated that small cities typically have lower threshold for administrative approval on purchasing. He recommended conducting a survey of other cities to provide information for a future amendment to the ordinance.

Interim City Manager Crist recommended Finance Commission review as well.

Council concurred to direct this matter to the Finance Commission, and to gather information from other cities, as outlined.

Discussion and Direction to aid Hurricane Katrina victims (Metropulos)

Councilmember Metropulos stated that he was advised that Bonnie Brae Terrace may be receiving evacuees from Hurricane Katrina, and resources may be needed. He could update the Council as new information becomes available.

Council concurred to carry this item over to the next meeting for further updates.

Requesting staff to prepare a concise but helpful report on the status of our emergency services, both city, county and state in the case of a serious disaster affecting our city (Feierbach)

Councilmember Feierbach requested a future report on the state of Belmont's emergency preparedness. She noted that Silicon Valley may have a program, Belmont has the CERT (Community Emergency Response Team) program, and there may be other resources. She noted that City Hall is now earthquake-proof, and in the event of an earthquake, building permits will need to be issued.

Councilmember Metropulos noted that he has received ongoing information through his assignment with the Office of Emergency Services (OES). He noted the County OES is well prepared regarding communications. He will address this issue at a future OES meeting.

Police Chief Mattei noted that Belmont's new EOC (Emergency Operations Center) will soon be set up, and that CERT is an important component. Scenarios are practiced on a regular basis, and he will invite Council to participate in a future exercise. He noted that Belmont Safe Schools has evolved into Belmont Safe City. He will provide information for the Council to review.

Consideration to adopt a resolution of support for AB 438 to protect families in rental communities from high-risk sex offenders (Warden)

Mayor Warden stated that Council support of AB438 was requested. He noted this would allow landlords to evict high-risk sex offenders.

Council concurred to consider this item on the next agenda.

ADJOURNMENT at this time, being 11:30 P.M.

Terri Cook

Belmont City Clerk

Meeting Tape Recorded and Videotaped

Audio Recording 617